

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BARBARA SILVA,

Case No. C-09-03649 JCS

Plaintiff,

v.

CITY OF SAN LEANDRO, ET AL.,

Defendants.

**COURT'S PROPOSED SPECIAL VERDICT FORM: PHASE ONE (REVISED)**

DATED: January 19, 2011

  
Hon. Joseph C. Spero  
UNITED STATES MAGISTRATE JUDGE

**JURY VERDICT– PHASE ONE**

We, the jury, unanimously find as follows:

1. Did Officer Sellers reasonably believe at the time he shot Plaintiff's dog that the dog was attacking Officer Sellers or the other officers?

Yes \_\_\_\_\_ No \_\_\_\_\_

Go to Question No. 2.

2. Did Plaintiff prove by a preponderance of the evidence that Officer Sellers committed an unreasonable seizure in violation of Plaintiff's Fourth Amendment rights when he shot Plaintiff's dog?

Yes \_\_\_\_\_ No \_\_\_\_\_

**SIGN AND DATE THE SPECIAL VERDICT FORM**

**Signed:** \_\_\_\_\_

**Foreperson of the Jury:** \_\_\_\_\_

**Dated:** \_\_\_\_\_

After this verdict form has been signed and dated, please submit a Jury Note to the Court Security Officer notifying the Court that the Jury has reached a verdict. Please return the verdict form to the Courtroom Deputy.